

S/N 09/655,166



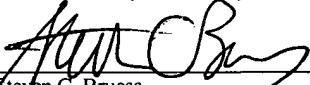
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: HEDRINGTON ET Examiner: D. BECKER
AL.
Serial No.: 09/655,166 Group Art Unit: 1761
Filed: SEPTEMBER 5, 2000 Docket No.: 1850.292USD1
Title: METHOD FOR COOKING A PIZZA

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 27, 2004.

By: 
Name: Steven C. Bruess

APPELLANTS' REPLY BRIEF

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Commissioner for Patents
P.O. Box 1450
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PATENT TRADEMARK OFFICE

Dear Sir:

This Reply Brief responds to the Examiner's Answer mailed February 27, 2004.

In the Examiner's Answer, the Examiner reiterates the Patent & Trademark Office's position that various structural features of Sinks (U.S. Patent No. 1,054,321) can be modified in view of Lang et al. (U.S. Patent No. 5,039,535). The Examiner further adds that the gear drive of Lang et al. could be added to Sinks in order to eliminate "the need for the complicated two-piece food support of Sinks" and to prevent "possible burns to the operator due to the manual rotation of Sinks".

There is no motivation to combine the gearing feature with Sinks. Further, adding the gear drive changes the fundamental operation of the Sinks device. Sinks is manually turned, in order to allow intermittent turning. Food items are turned into the heating chamber on the turn-table 3. The food items are later brought out of the heating chamber of Sinks "for inspection and turning on the grill" (see page 1, lines 73-77). Further, Sinks already has a feature to address

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burning of the operator. Sinks has a handle 11 of non-conducting material mounted on the spindle for "ready manipulation of the turn-table" (see page 1, lines 58-61).

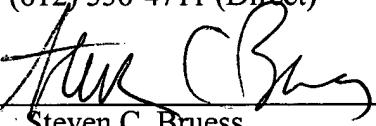
The gear drive of Lang et al. is utilized to rotate the pizza at a uniform rate within the oven (see column 3, lines 6-11 and column 6, line 57 through column 7, line 5). There is no teaching or suggestion in Lang et al. of a control system to intermittently stop rotating cooking surface 38.

Even if the cited art could be combined in the manner in which the Examiner suggests, there is no teaching or suggestion of the method of claim 22 wherein a pizza is cooked by rotating the pizza through a heating chamber defined by upper and lower housings where the upper and lower housings extend over and under respectively only a portion of the food support member. The heating members in the housings apply heat to only a portion of the pizza as the portion of the pizza rotates through the heating chamber. In both Sinks and Lang et al., the food item is completely covered by housings and heating elements disposed above the food support member. Appellants have invented a novel method of cooking pizza not taught or suggested by the cited art.

Respectfully submitted,

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